

INFORMATION ABOUT JUDGES APPEARING ON YOUR BALLOT

Merit Selection of Judges

The office of judge is unique in our society. A judge is a public servant holding an office of high public trust and so should answer to the public. However, the obligation of a judge is to resolve disputes impartially and to base decisions solely upon the facts of the case and the law. A judge, therefore, should be insulated from public pressure.

Merit selection of judges was developed as an alternative to requiring judges to run in contested elections. The Judicial Article of the Utah Constitution, revised effective July 1, 1985, establishes merit selection as the exclusive method of choosing a state court judge. As stated in the Utah Constitution: *“Selection of judges shall be based solely upon consideration of fitness for office without regard to any partisan political consideration.”*

There are four steps in the Utah merit selection plan: nomination, appointment, confirmation and retention election. The nomination of judges is by a committee of lawyers and non-lawyers selected by the Governor. The judicial nominating commission nominates between three and seven of the best qualified candidates from among all applicants. The Governor appoints one of the nominees, who then must be confirmed by a majority of the Utah State Senate.

Judicial Retention Elections

Under the Utah Constitution, judges must stand for retention election at the end of each term of office. The public has the opportunity to vote whether to retain the judge for another term. Before a judge stands for retention election, he or she is evaluated by the Judicial Council. The Judicial Council is established by the Utah Constitution as the policy making body for the judicial branch of government and is required by its own rules and by statute to evaluate the performance of all judges. As a result of the evaluation, the Judicial Council certifies whether the judge is qualified for retention election. The results of individual evaluations are published in the voter information pamphlet.

Performance Evaluation Program

The judicial performance evaluation program is required by statute and developed by rule of the Judicial Council. The purpose of the program is two-fold:

- ◇ To provide each judge with information for his or her self improvement; and
- ◇ To provide the public with information upon which to make knowledgeable decisions regarding retention election.

The evaluation of each judge's performance is conducted every two to four years depending on when the judge is standing for retention election. An independent surveyor conducts a poll of lawyers appearing before each judge and asks the lawyer to anonymously evaluate the judge based on several criteria. In addition, a similar survey of jurors is conducted for district court judges and other judges sitting temporarily in the district court. Prior to the close of a judge's term of office, the Judicial Council reviews the results of the attorney and juror polls and other standards of performance and determines whether the judge is qualified for retention.

Criteria for Performance Evaluation

(A) Integrity:

- (1) avoidance of impropriety and appearance of impropriety;
- (2) freedom from personal bias;
- (3) ability to decide issues based on the law and the facts without regard to the identity of the parties or counsel, the popularity of the decision, and without concern for criticism;
- (4) impartiality of actions;
- (5) compliance with the Code of Judicial Conduct.

(B) Knowledge and understanding of the law:

- (1) the issuance of legally sound decisions;
- (2) understanding of the substantive, procedural, and evidentiary law of the state;
- (3) attentiveness to the factual and legal issues before the court;
- (4) the proper application of judicial precedents and other appropriate sources of authority.

(C) Ability to communicate:

- (1) clarity of bench rulings and other oral communications;
- (2) quality of written opinions with specific focus on clarity and logic, and the ability to explain clearly the facts of a case and the legal precedents at issue;
- (3) sensitivity to impact of demeanor and other nonverbal communications.

(D) Preparation, attentiveness, dignity and control over proceedings:

- (1) courtesy to all parties and participants; and
- (2) willingness to permit every person legally interested in a proceeding to be heard, unless precluded by law.

(E) Skills as a manager:

- (1) devoting appropriate time to all pending matters;
- (2) discharging administrative responsibilities diligently;
- (3) where responsibility exists for a calendar, knowledge of the number, age, and status of pending cases.

(F) Punctuality:

- (1) the prompt disposition of pending matters;
- (2) meeting commitments on time and according to rules of the court; and
- (3) compliance with the case processing time standard established by the Council.

(G) Service to the profession and the public:

- (1) attendance at and participation in judicial and continuing legal education programs;
- (2) consistent with the Code of Judicial Conduct, participation in organizations devoted to improving the justice system;
- (3) consistent with the highest principles of the law, ensuring that the court is serving the public and the justice system to the best of its ability and in such a manner as to instill confidence in the court system; and
- (4) service within the organizations of the judicial branch of government and in leadership positions within the judicial branch of government, such as presiding judge, Judicial Council, Boards of Judges, and standing and ad hoc committees.

(H) Effectiveness in working with other judges, commissioners and court personnel:

- (1) when part of a multi-judge panel, exchanging ideas and opinions with other judges during the decision-making process;
- (2) critiquing the work of colleagues;
- (3) facilitating the administrative responsibilities of other judges and commissioners; and
- (4) effectively working with court staff.

Minimum Standards for Performance

The Judicial Council has established the following minimum standards for judicial performance. Some standards apply to all judges and some standards apply to judges of a specific court.

- ◇ A minimum score of 70% on at least 75% of the questions on the attorney survey.
- ◇ A minimum score of 70% on at least 75% of the questions on the juror survey.
- ◇ For justices of the Supreme Court, circulating no more than six principal opinions more than 6 months after submission.
- ◇ For judges of the Court of Appeals, circulating no more than six principal opinions more than 6 months after submission and achieving a final average time to circulation of a principal opinion of not more than 120 days after submission.
- ◇ For judges of the trial courts, no cases under advisement for more than 6 months and no more than 6 cases under advisement for more than 2 months.

- ◇ At least 30 hours of judicial education per year.
- ◇ Substantial compliance with the Code of Judicial Conduct.
- ◇ Physical and mental fitness for office.

If the Council finds the judge met the performance standards, it is presumed the Council will certify the judge for election. If the Council finds the judge did not meet the performance standards, it is presumed the Council will not certify the judge for election. A presumption against certification may be overcome by a showing of good cause to the contrary. A presumption in favor of certification may be overcome by:

- (a) reliable information showing non-compliance with a performance standard; or
- (b) formal or informal sanctions by the Supreme Court of sufficient gravity or number or both to demonstrate lack of substantial compliance with the Code of Judicial Conduct.

Attorney Survey Questions

A random sample of attorneys appearing before each judge was asked to rate the judge as “excellent,” “more than adequate,” “adequate,” “less than adequate,” and “inadequate” on the following questions. A favorable response is “excellent,” “more than adequate,” or “adequate.” To be certified the judge must receive a 70% favorable response rate to at least 75% of the following questions and an overall favorable response rate of at least 70%.

Questions of Attorneys About Appellate Judges

- 1) Behavior is free from impropriety and the appearance of impropriety.
- 2) Behavior is free from bias and favoritism.
- 3) Avoids ex parte communications (contact with one party without the other parties present).
- 4) Understands the rules of procedure and evidence.
- 5) Understands the substantive law.
- 6) Understands recent legal developments.
- 7) Perceives legal and factual issues.
- 8) Properly applies the law to the facts of the case.
- 9) Is prepared for oral argument.
- 10) Maintains the quality of questions and comments during oral argument.
- 11) Demonstrates appropriate demeanor.
- 12) Issues opinions without unnecessary delay.
- 13) Opinions are well written.
- 14) Opinions demonstrate scholarly legal analysis.
- 15) Overall, the performance of this judge is:

Questions of Attorneys About Trial Court Judges

- 1) Behavior is free from impropriety and the appearance of impropriety.
- 2) Behavior is free from bias and favoritism.
- 3) Avoids ex parte communications (contact with one party without the other parties present).
- 4) Understands the rules of procedure and evidence.
- 5) Properly applies the law to the facts of the case.
- 6) Is prepared for hearings and trials.
- 7) Demonstrates appropriate demeanor.
- 8) Maintains order in the courtroom.
- 9) Allows sufficient time to present case.
- 10) Weighs all evidence fairly and impartiality before rendering a decision.
- 11) Clearly explains oral decisions.
- 12) Opinions, memorandum decisions and orders are well written.
- 13) Issues orders and opinions without unnecessary delay.
- 14) Effectively uses pretrial procedures to narrow and define the issues.
- 15) Overall, the performance of this justice or judge is:

The attorney survey for six judges was administered in a slightly different format. The final question for these six read: "Taking everything into account, do you recommend this judge be certified for election? Yes/No." The scores reported are the percentage of attorneys who responded "yes" and "no."

Juror Survey Questions

All jurors trying a case before a district court judge were asked to answer "yes" or "no" to each of the following questions. To be certified the judge must receive a 70% favorable response rate to at least 75% of the following questions and an overall favorable response rate of at least 70%. There are no jurors in the Supreme Court, Court of Appeals, or juvenile court, and some district court judges are assigned only cases for which there are no jury trials.

Questions of Jurors About District Court Judges

- 1) Does the judge avoid "playing favorites?"
- 2) Does the judge's behavior appear to be free from bias?
- 3) Does the judge conduct proceedings in a fair and impartial manner?
- 4) Does the judge clearly explain court procedures?
- 5) Does the judge clearly explain reasons for delay?
- 6) Does the judge clearly explain responsibilities of the jury?
- 7) Does the judge behave in a dignified manner?
- 8) Does the judge behave in a courteous manner?
- 9) Does the judge avoid arrogance?
- 10) Does the judge display patience?
- 11) Does the judge display attentiveness?
- 12) Does the judge treat people with respect?
- 13) Does the judge convene court without undue delay?
- 14) Did you find recesses to be frequent enough and long enough to attend to your personal needs?
- 15) Would you be comfortable having your case tried before this judge?

Justices of the Supreme Court and judges of the Court of Appeals are statewide offices and appear on the ballots of every county. Judges of the district court and juvenile court appear on the ballots of the counties within their respective judicial districts. Judges of the justice court appear on the ballots of the voting precincts of their court precinct. The judges standing for election in 2002 are as follows:

Judge Michael G. Allphin

Judge Michael G. Allphin of the District Court for the Second Judicial District, serving Weber, Davis, and Morgan Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Michael G. Allphin was appointed to the Second District Court in July 1995 by Gov. Michael O. Leavitt. He received his law degree from the University of the Pacific, McGeorge School of Law in 1980. He practiced law in the Second, Third, and Fifth Districts with the firm of Boyack, Allphin & Hansen. He served as the State District Court Administrator during 1988 and 1989 and guided the District Court transition from county-operated to state-operated courts. He was appointed in May of 1989 as a District Court Commissioner in the Third District and later transferred to the Second District. He served in that assignment and as District Judge Pro Tempore until his appointment as District Judge. He also served as chair of the Executive Committee of Court Commissioners. He has been a member of the Board of District Court Judges since 1998 and served as chair of the board from 2002 to 2003. He has served as Presiding Judge of the Second District Court.

Judge Allphin's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 114 respondents for Judge Allphin.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	93%	86%	93%	91%	86%	96%	95%	96%	91%	82%	88%	94%	95%	89%	87%

Attorney survey response details:

Excellent	47%	37%	47%	33%	29%	40%	44%	43%	36%	32%	31%	38%	35%	29%	34%
More than Adequate	30%	33%	29%	41%	41%	38%	31%	38%	39%	30%	38%	36%	37%	39%	34%
Adequate	16%	16%	17%	18%	16%	19%	20%	15%	17%	20%	19%	20%	22%	20%	18%
Less than Adequate	4%	8%	6%	7%	5%	1%	5%	0%	7%	11%	4%	1%	1%	1%	8%
Inadequate	3%	6%	1%	2%	9%	3%	0%	4%	2%	7%	8%	5%	4%	10%	5%

Survey of Jurors

There were 60 respondents for Judge Allphin.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	98%	98%	100%	100%	95%	98%	100%	100%	98%	100%	97%	100%	100%	100%	98%
No	2%	2%	0%	0%	5%	2%	0%	0%	2%	0%	3%	0%	0%	0%	2%

Judge J. Mark Andrus

Judge J. Mark Andrus of the Juvenile Court for the Second Judicial District, serving Weber, Davis, and Morgan Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge J. Mark Andrus was appointed to the Second District Juvenile Court in September 1994 by Gov. Michael O. Leavitt. He received his law degree from the University of Utah College of Law in 1982. He was an attorney with the Salt Lake Legal Defender Association prior to accepting a position with the Davis County Attorney's Office in 1983. Judge Andrus is on the Judicial Council and the Court Improvement Committee. He has served as Presiding Judge in the Second District Juvenile Court, as Chair of the Board of Juvenile Court Judges, and as a member of the Juvenile Court Re-codification Committee, the Family Court Task Force, the Sentencing Commission, and the Board of Juvenile Justice and Delinquency Prevention.

Judge Andrus's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 44 respondents for Judge Andrus.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	86%	91%	91%	93%	93%	93%	81%	93%	91%	86%	82%	88%	98%	91%	88%

Attorney survey response details:

Excellent	45%	43%	43%	48%	41%	40%	20%	39%	32%	36%	34%	43%	41%	37%	36%
More than Adequate	32%	34%	36%	30%	30%	40%	32%	39%	45%	36%	32%	23%	32%	37%	36%
Adequate	9%	14%	11%	16%	23%	14%	30%	16%	14%	14%	16%	23%	25%	16%	16%
Less than Adequate	5%	0%	7%	0%	0%	2%	5%	2%	7%	5%	11%	6%	0%	2%	5%
Inadequate	9%	9%	2%	7%	7%	5%	14%	5%	2%	9%	7%	6%	2%	7%	7%

Judge Judith S.H. Atherton

Judge Judith S.H. Atherton of the District Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Judith S.H. Atherton was appointed to the Third District Court in July 1995 by Gov. Michael O. Leavitt. Judge Atherton received her law degree from the University of Utah College of Law in 1983. She was a member of the firm of Hugh C. Garner & Associates from 1984 to 1986 and staff counsel for the Legal Aid Society of Salt Lake from 1986 to 1988. She then served in the state executive branch as assistant administrative law judge and assistant attorney general, and has taught at the University of Utah College of Law. She was appointed as a Third District Court Commissioner in 1992. Judge Atherton has served on the Judicial Branch Education Standing Committee, the Commission for the Improvement of Jury Service, and is presently co-chair of the Standing Committee on Children and Family Law.

Judge Atherton's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 115 respondents for Judge Atherton.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	93%	87%	96%	93%	89%	95%	91%	99%	95%	88%	94%	96%	97%	97%	93%

Attorney survey response details:

Excellent	63%	55%	51%	55%	47%	56%	60%	57%	57%	50%	49%	51%	50%	48%	54%
More than Adequate	19%	22%	30%	21%	25%	25%	19%	28%	23%	25%	26%	25%	30%	31%	23%
Adequate	11%	10%	15%	18%	16%	15%	12%	15%	15%	12%	20%	20%	17%	18%	15%
Less than Adequate	5%	7%	2%	5%	7%	3%	6%	0%	3%	6%	4%	1%	2%	2%	4%
Inadequate	2%	6%	2%	2%	4%	2%	3%	1%	2%	6%	2%	3%	1%	1%	3%

Survey of Jurors

There were 45 respondents for Judge Atherton.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	98%	98%	100%	100%	98%	100%	100%	100%	98%	100%	100%	100%	98%	100%	98%
No	2%	2%	0%	0%	2%	0%	0%	0%	2%	0%	0%	0%	2%	0%	2%

Judge L. Kent Bachman

Judge L. Kent Bachman of the Juvenile Court for the Second Judicial District, serving Weber, Davis, and Morgan Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge L. Kent Bachman was appointed to the First and Second District Juvenile Court in August 1977 by Gov. Scott M. Matheson. He received his law degree from the University of Utah College of Law in 1968. Judge Bachman was a Deputy Weber County Attorney and Chief Deputy City Attorney for Ogden City. He was in private practice from 1968 to 1971 in general civil and criminal litigation and was a referee for the First District Juvenile Court from 1969 to 1971. Judge Bachman was the Chair of the Board of Juvenile Court Judges from 1981 to 1982 and is a former member of the Judicial Council.

Judge Bachman's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 58 respondents for Judge Bachman.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	97%	95%	91%	90%	90%	97%	98%	93%	98%	94%	96%	89%	98%	94%	96%

Attorney survey response details:

Excellent	43%	34%	36%	29%	26%	40%	50%	41%	43%	34%	34%	33%	30%	35%	36%
More than Adequate	40%	43%	46%	41%	43%	36%	38%	41%	45%	40%	48%	49%	48%	47%	48%
Adequate	14%	17%	9%	19%	21%	21%	10%	10%	10%	19%	14%	7%	20%	13%	12%
Less than Adequate	0%	2%	7%	7%	5%	0%	0%	5%	2%	3%	2%	7%	0%	4%	2%
Inadequate	3%	3%	2%	3%	5%	3%	2%	2%	0%	3%	2%	4%	2%	2%	2%

Judge G. Rand Beacham of the District Court for the Fifth Judicial District, serving Beaver, Iron, and Washington Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Beacham's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

There were 94 respondents for Judge Beacham.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	95%	92%	100%	97%	94%	98%	89%	99%	96%	95%	96%	96%	82%	90%	97%

Excellent	44%	32%	53%	51%	38%	45%	38%	53%	45%	39%	33%	40%	19%	34%	35%
More than Adequate	30%	32%	31%	32%	32%	26%	27%	29%	31%	33%	37%	37%	29%	25%	41%
Adequate	21%	28%	16%	14%	23%	28%	23%	17%	19%	23%	26%	18%	35%	32%	20%
Less than Adequate	3%	4%	0%	2%	5%	2%	7%	1%	3%	3%	2%	2%	9%	6%	1%
Inadequate	2%	4%	0%	1%	1%	0%	4%	0%	1%	2%	2%	2%	9%	4%	2%

There were 48 respondents for Judge Beacham.

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Judge Leslie D. Brown

Judge Leslie D. Brown of the Juvenile Court for the Fourth Judicial District, serving Wasatch, Utah, Juab, and Millard Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Leslie D. Brown was appointed to the Fourth District Juvenile Court in July 1979 by Gov. Scott M. Matheson. He received his law degree from the University of Utah College of Law in 1972. He was in private law practice from 1972 to 1977 and served as Duchesne County Attorney from 1975 to 1977. He was a member of the Judicial Council from 1992 to 1995 and formerly served as a member of the Commission on Criminal and Juvenile Justice. He served on the Board of Juvenile Court Judges from 1997 to 2003 and served as its Chair from 2002 to 2003. He currently serves as a member of the Utah Board of Juvenile Justice and is the Presiding Judge in the Fourth District Juvenile Court.

Judge Brown's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

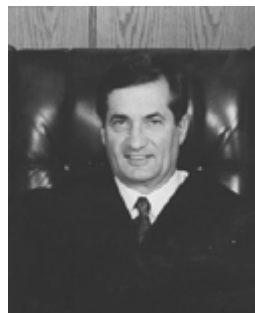
There were 48 respondents for Judge Brown.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	98%	94%	95%	98%	94%	96%	96%	98%	100%	92%	94%	94%	100%	96%	96%

Attorney survey response details:

Excellent	66%	62%	55%	64%	66%	65%	69%	71%	66%	58%	58%	51%	61%	62%	60%
More than Adequate	26%	26%	25%	26%	19%	21%	21%	23%	23%	27%	31%	37%	23%	23%	25%
Adequate	6%	6%	16%	9%	9%	10%	6%	4%	11%	6%	4%	6%	16%	11%	10%
Less than Adequate	2%	4%	0%	2%	6%	4%	4%	2%	0%	6%	6%	3%	0%	2%	4%
Inadequate	0%	2%	5%	0%	0%	0%	0%	0%	0%	2%	0%	3%	0%	2%	0%

Judge Bryce K. Bryner of the District Court for the Seventh Judicial District, serving Carbon, Emery, Grand, and San Juan Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Bryner's compliance with performance standards is as follows:

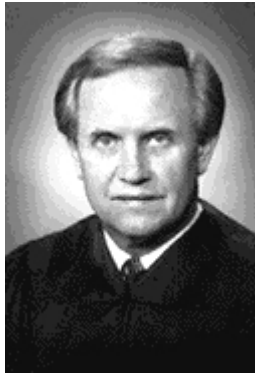
- ## Survey of Attorneys

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	100%	100%	100%	99%	99%	100%	100%	99%	98%	97%	98%	100%	89%	96%	99%

Excellent	63%	64%	65%	54%	45%	58%	61%	60%	55%	50%	36%	34%	25%	29%	51%
More than Adequate	28%	24%	19%	31%	39%	27%	27%	27%	31%	33%	45%	45%	32%	35%	36%
Adequate	9%	12%	16%	13%	15%	15%	12%	12%	10%	14%	17%	21%	31%	33%	12%
Less than Adequate	0%	0%	0%	1%	1%	0%	0%	1%	1%	3%	2%	0%	8%	2%	1%
Inadequate	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%	0%	3%	2%	0%

[illegible]

Judge Hans Q. Chamberlain of the Juvenile Court for the Fifth Judicial District, serving Beaver, Iron, and Washington Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Chamberlain's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

There were 17 respondents for Judge Chamberlain.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	100%	87%	100%	94%	81%	100%	94%	100%	100%	94%	100%	83%	100%	100%	100%

[illegible]

Judge Terry L. Christiansen

Judge Terry L. Christiansen of the District Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Terry L. Christiansen was appointed to the Third District Court in July 2000 by Gov. Michael O. Leavitt. He received his law degree from the University of Utah School of Law in 1975. At the time of his appointment to the bench, Judge Christiansen was the Chief Deputy Summit County Attorney, the Park City Prosecutor and was in private practice with the law firm of Adkins & Christiansen. Judge Christiansen started his legal career with the law firm of Roe & Fowler in Salt Lake City. Judge Christiansen has 25 years experience as a private attorney and over 20 years experience as both a county attorney and city prosecutor. He also served 10 years as a small claims judge, was a peace officer training instructor for Summit County law officers. He serves on the Utah Sentencing Commission and the Utah Sexual Violence Council.

Judge Christiansen's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 27 respondents for Judge Christiansen.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	100%	92%	100%	96%	92%	100%	100%	100%	100%	92%	100%	100%	100%	100%	96%

Attorney survey response details:

Excellent	41%	41%	46%	33%	37%	36%	52%	50%	50%	41%	37%	47%	38%	33%	44%
More than Adequate	44%	41%	29%	30%	37%	48%	37%	36%	38%	37%	30%	27%	38%	43%	41%
Adequate	15%	11%	25%	33%	19%	16%	11%	14%	12%	15%	33%	27%	24%	24%	11%
Less than Adequate	0%	4%	0%	4%	4%	0%	0%	0%	0%	4%	0%	0%	0%	0%	4%
Inadequate	0%	4%	0%	0%	4%	0%	0%	0%	0%	4%	0%	0%	0%	0%	0%

Survey of Jurors

There were 128 respondents for Judge Christiansen.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	97%	100%	100%	100%	100%	100%	100%	100%	99%	100%	100%	100%	99%	100%	98%
No	3%	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%	0%	1%	0%	2%

Judge Glen R. Dawson

Judge Glen R. Dawson of the District Court for the Second Judicial District, serving Weber, Davis, and Morgan Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Glen R. Dawson was appointed to the Second District Court in September 1994 by Gov. Michael O. Leavitt. He received his law degree from the J. Reuben Clark College of Law at Brigham Young University in 1980. He served in Washington, D.C. as a trial attorney with the United States Department of Justice from 1980 to 1986. Judge Dawson relocated to Utah in 1986 where he served as an Assistant United States Attorney for the District of Utah until his appointment to bench. He was chosen as 1994 Government Attorney of the Year for the Utah Chapter of the Federal Bar Association. Judge Dawson currently serves as a member of the Judicial Performance Evaluation Committee.

Judge Dawson's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 118 respondents for Judge Dawson.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	94%	92%	98%	94%	86%	97%	94%	100%	98%	89%	91%	94%	91%	92%	93%

Attorney survey response details:

Excellent	55%	52%	56%	45%	39%	53%	61%	57%	55%	53%	47%	49%	45%	40%	45%
More than Adequate	31%	29%	34%	36%	32%	28%	21%	25%	31%	25%	31%	28%	35%	35%	36%
Adequate	8%	11%	8%	13%	14%	16%	12%	18%	13%	12%	12%	16%	12%	16%	12%
Less than Adequate	3%	4%	2%	3%	10%	2%	3%	0%	2%	7%	6%	3%	4%	4%	4%
Inadequate	3%	4%	0%	3%	4%	1%	3%	0%	0%	4%	3%	3%	5%	4%	3%

Survey of Jurors

There were 131 respondents for Judge Dawson.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	99%	100%	99%	99%	98%	99%	100%	100%	100%	100%	97%	100%	98%	99%	98%
No	1%	0%	1%	1%	2%	1%	0%	0%	0%	0%	3%	0%	2%	1%	2%

Judge L.A. Dever

Judge L.A. Dever of the District Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Dever was appointed to the Third District Court in July 1995. Judge Dever received his law degree from the University of Houston Law School in 1975. His first position was with the firm of Andrew P. Stephens & Associates in Houston. He moved to Salt Lake and in 1976 as a solo practitioner, and then worked from 1978 to 1982 in the Salt Lake County Attorney's office. He then became a Partner in the Vernal firm of McRae & DeLand from 1982-1987. He then accepted a position as Assistant Attorney General and for the next eight years served in several capacities in the Attorney General's Office including that of Solicitor General. At the time of his appointment to the bench, he was serving as Chief of the Public Affairs Division in the Attorney General's Office.

Judge Dever's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 103 respondents for Judge Dever.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	91%	86%	95%	82%	77%	86%	73%	97%	93%	77%	82%	79%	84%	85%	85%

Attorney survey response details:

Excellent	28%	25%	37%	21%	16%	21%	21%	30%	27%	19%	21%	23%	23%	18%	18%
More than Adequate	25%	28%	22%	27%	27%	26%	20%	29%	26%	28%	25%	21%	30%	22%	28%
Adequate	38%	33%	35%	35%	34%	40%	31%	38%	39%	31%	36%	34%	32%	45%	39%
Less than Adequate	5%	6%	4%	13%	15%	8%	19%	1%	4%	16%	12%	11%	8%	9%	8%
Inadequate	4%	8%	1%	5%	8%	6%	8%	2%	3%	7%	6%	10%	8%	6%	7%

Survey of Jurors

There were 67 respondents for Judge Dever.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	97%	99%	99%	99%	98%	99%	100%	100%	100%	97%	89%	99%	94%	98%	99%
No	3%	1%	1%	1%	2%	1%	0%	0%	0%	3%	11%	1%	6%	2%	1%

Justice Christine M. Durham

Justice Christine M. Durham of the Supreme Court for the State of Utah, serving All Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Justice Christine M. Durham became Chief Justice in April, 2002. She was appointed to the Supreme Court in February 1982 by Governor Scott M. Matheson, after having served on the Third District Court Bench since 1978. After receiving her law degree from Duke University, Chief Justice Durham practiced law in Durham, North Carolina and was an Instructor of Legal Medicine at Duke University Medical School. In Salt Lake City, she was a partner with the law firm of Johnson, Durham & Moxley before her appointment to the bench. She has taught at Brigham Young University's law school, and the University of Utah College of Law. She is a Trustee of Duke University and the Council of the American Law Institute, and is a past president of the National Association of Women Judges and a former member of the Federal Judicial Conference's Advisory Committee on the Rules of Civil Procedure. Chief Justice Durham's work for Utah's courts has included service on the

Governor's Task Force that recommended legislation to implement the 1985 amendments to the Judicial Article of the Utah Constitution, the Utah Judicial Council, which she currently chairs, the Commission on Justice in the 21st Century, the Committee on Improving Jury Service, the Utah Judicial Branch Education Committee, and the courts' Public Outreach Committee. She leads the Education for Justice Project, a partnership between public education, the judicial branch, and the legal profession to improve education about the justice system in Utah public schools, and is a member of the Utah Constitutional Revision Commission.

Justice Durham's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 51 respondents for Justice Durham.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	98%	88%	98%	94%	92%	92%	88%	84%	96%	94%	98%	98%	94%	86%	90%

Attorney survey response details:

Excellent	66%	56%	80%	54%	49%	60%	51%	39%	67%	67%	67%	43%	42%	49%	49%
More than Adequate	20%	24%	12%	30%	27%	20%	31%	31%	24%	18%	24%	31%	34%	27%	35%
Adequate	12%	8%	5%	10%	16%	12%	6%	14%	6%	10%	8%	24%	18%	10%	6%
Less than Adequate	2%	8%	0%	6%	4%	6%	10%	8%	2%	4%	2%	2%	4%	8%	4%
Inadequate	0%	4%	2%	0%	4%	2%	2%	8%	2%	2%	0%	0%	2%	6%	6%

Justice Matthew B. Durrant

Justice Matthew B. Durrant of the Supreme Court for the State of Utah, serving All Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Justice Matthew B. Durrant was appointed to the Utah Supreme Court in January 2000 by Governor Michael O. Leavitt. At that time, he was serving as a trial judge in the Third Judicial District. He is presently serving as the Supreme Court representative on the Utah Judicial Council and has previously served as Associate Chief Justice. He was the founding chair of the Supreme Court's Professionalism Committee. He also has chaired the Judicial Council's Technology Committee. Justice Durrant received his law degree from Harvard Law School in 1984. After a clerkship with Judge Monroe G. McKay of the U.S. Court of Appeals for the Tenth Circuit, he joined the Salt Lake law firm now known as Parr, Waddoups, Brown, Gee, & Loveless, where he was a shareholder at the time of his appointment to the district bench. He also has taught as an adjunct professor at Brigham Young University's J. Reuben Clark Law School.

Justice Durrant's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 77 respondents for Justice Durrant.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	97%	97%	96%	91%	92%	91%	91%	90%	95%	94%	96%	95%	92%	90%	92%

Attorney survey response details:

Excellent	63%	63%	61%	46%	46%	49%	49%	42%	49%	48%	58%	36%	41%	44%	49%
More than Adequate	21%	21%	22%	29%	29%	27%	29%	29%	28%	29%	24%	30%	35%	30%	27%
Adequate	13%	13%	12%	17%	17%	15%	13%	18%	18%	16%	14%	28%	17%	17%	16%
Less than Adequate	0%	0%	0%	6%	3%	5%	4%	6%	1%	1%	0%	1%	5%	5%	5%
Inadequate	3%	3%	4%	3%	5%	4%	5%	4%	4%	5%	4%	4%	3%	5%	3%

Judge Roger S. Dutson

Judge Roger S. Dutson of the District Court for the Second Judicial District, serving Weber, Davis, and Morgan Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Roger S. Dutson was appointed to the Second Circuit Court in March 1988 by Gov. Norman H. Bangerter. He became a judge in Second District Court in July 1996. Judge Dutson received his law degree from George Washington University in Washington D.C. in 1965. He served as defense counsel for the Navy Judge Advocate General Corps from 1965 to 1968 and practiced law in the Ogden area from 1968 to 1980. Judge Dutson has served on numerous Utah State Bar Committees, community service organizations and in Boy Scout leadership positions. In addition to his regular judicial duties he helped establish and has served as judge for the Weber County felony drug court, a rehabilitative court for non-violent drug addicts.

Judge Dutson's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 99 respondents for Judge Dutson.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	89%	89%	96%	86%	81%	92%	87%	100%	95%	87%	84%	82%	95%	95%	90%

Attorney survey response details:

Excellent	31%	28%	31%	25%	26%	29%	30%	30%	31%	24%	24%	27%	26%	24%	24%
More than Adequate	31%	31%	36%	29%	26%	34%	34%	41%	40%	30%	29%	25%	25%	35%	34%
Adequate	26%	29%	29%	31%	30%	30%	23%	29%	24%	33%	31%	30%	43%	36%	31%
Less than Adequate	7%	9%	3%	9%	14%	6%	11%	0%	4%	8%	16%	15%	4%	5%	5%
Inadequate	4%	2%	1%	5%	5%	2%	2%	0%	1%	5%	0%	3%	1%	0%	5%

Survey of Jurors

There were 65 respondents for Judge Dutson.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	96%	99%	100%	100%	100%	100%	99%	100%	99%	100%	99%	100%	95%	100%	100%
No	4%	1%	0%	0%	0%	0%	1%	0%	1%	0%	1%	0%	5%	0%	0%

Judge Donald J. Eyre, Jr.

Judge Donald J. Eyre, Jr. of the District Court for the Fourth Judicial District, serving Wasatch, Utah, Juab, and Millard Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Donald J. Eyre, Jr., was appointed to the Fourth District Court in November 1994 by Gov. Michael O. Leavitt. He received his law degree from the University of Utah College of Law in 1976 and was in private practice from 1976 until his appointment to the bench. Judge Eyre was appointed Nephi City attorney in 1978 and concurrently served as Juab County attorney from 1979 until his appointment to the bench. He served on the Jury Education Committee and the Justice Court Standards Committee. Judge Eyre served as the presiding judge of the Fourth District Court from 1999 to 2000 and on the Board of District Court Judges from 2000 to 2003. In 2004 he helped establish drug courts in Juab and Millard Counties.

Judge Eyre's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 96 respondents for Judge Eyre.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	96%	89%	98%	92%	89%	93%	97%	98%	91%	89%	87%	88%	95%	90%	89%

Attorney survey response details:

Excellent	47%	40%	43%	31%	29%	35%	46%	41%	39%	31%	29%	29%	26%	19%	33%
More than Adequate	34%	35%	44%	42%	41%	32%	29%	35%	39%	41%	29%	35%	47%	42%	45%
Adequate	14%	13%	10%	19%	19%	25%	22%	22%	14%	17%	28%	24%	21%	29%	10%
Less than Adequate	3%	8%	2%	6%	8%	5%	2%	2%	5%	6%	11%	8%	4%	8%	9%
Inadequate	1%	3%	0%	2%	3%	2%	1%	0%	4%	5%	2%	4%	1%	2%	2%

Survey of Jurors

There were 122 respondents for Judge Eyre.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	95%	97%	99%	100%	97%	100%	99%	100%	99%	99%	99%	99%	94%	97%	98%
No	5%	3%	1%	0%	3%	0%	1%	0%	1%	1%	1%	1%	6%	3%	2%

Judge Pamela G. Heffernan

Judge Pamela G. Heffernan of the District Court for the Second Judicial District, serving Weber, Davis, and Morgan Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Pamela G. Heffernan was appointed to the Second Circuit Court in 1989 by Gov. Norman H. Bangerter. She became a judge in Second District Court in July 1996. Judge Heffernan received her law degree from the University of Utah College of Law in 1981. She was a shareholder in the Salt Lake law firm of Snow, Christensen & Martineau until her appointment to the bench. Judge Heffernan is a former member of the Board of Circuit Court Judges and the Board of District Court Judges and has also served on the Commission for Justice in the 21st Century and the Judicial Performance Evaluation Committee.

Judge Heffernan's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 104 respondents for Judge Heffernan.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	91%	88%	99%	94%	84%	92%	73%	95%	89%	81%	88%	92%	93%	95%	87%

Attorney survey response details:

Excellent	30%	29%	38%	23%	23%	26%	23%	30%	23%	26%	22%	28%	26%	24%	17%
More than Adequate	41%	37%	41%	35%	30%	34%	26%	36%	36%	31%	31%	30%	35%	37%	37%
Adequate	20%	22%	20%	36%	32%	32%	23%	29%	31%	25%	35%	34%	32%	33%	34%
Less than Adequate	6%	8%	0%	4%	12%	5%	18%	4%	7%	15%	5%	3%	5%	2%	10%
Inadequate	3%	4%	1%	2%	4%	3%	9%	1%	4%	4%	7%	5%	2%	3%	3%

Survey of Jurors

There were 78 respondents for Judge Heffernan.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	96%	99%	100%	100%	100%	100%	100%	100%	100%	99%	96%	100%	96%	99%	96%
No	4%	1%	0%	0%	0%	0%	0%	0%	0%	1%	4%	0%	4%	1%	4%

Judge Stephen L. Henriod of the District Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Henriod's compliance with performance standards is as follows:

- Survey of Attorneys

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	87%	81%	91%	93%	85%	96%	78%	99%	95%	84%	88%	87%	95%	96%	87%

Excellent	19%	21%	29%	28%	26%	30%	26%	31%	28%	26%	25%	21%	30%	25%	26%
More than Adequate	41%	32%	36%	33%	26%	28%	25%	33%	32%	23%	25%	23%	32%	35%	26%
Adequate	27%	27%	26%	33%	33%	38%	26%	34%	34%	35%	39%	43%	33%	37%	34%
Less than Adequate	10%	10%	7%	4%	13%	3%	20%	1%	5%	13%	10%	10%	4%	4%	11%
Inadequate	3%	9%	2%	3%	2%	1%	2%	0%	0%	3%	2%	3%	1%	0%	2%

There were 26 respondents for Judge Henriod.

[illegible]

Judge Thomas M. Higbee of the Juvenile Court for the Fifth Judicial District, serving Beaver, Iron, and Washington Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Higbee's compliance with performance standards is as follows:

- ## Survey of Attorneys

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	100%	100%	100%	96%	92%	100%	100%	100%	100%	96%	100%	100%	100%	100%	100%

[illegible]

Judge Robert K. Hilder of the District Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Hilder's compliance with performance standards is as follows:

- Survey of Attorneys
- There were 128 respondents for Judge Hilder.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	93%	92%	100%	97%	91%	98%	98%	98%	97%	92%	94%	95%	96%	94%	94%

Excellent	67%	61%	55%	56%	49%	66%	74%	63%	71%	56%	61%	54%	48%	47%	62%
More than Adequate	20%	24%	28%	28%	32%	22%	16%	25%	19%	27%	22%	27%	31%	28%	23%
Adequate	6%	7%	17%	13%	9%	10%	9%	9%	8%	9%	11%	14%	16%	20%	9%
Less than Adequate	5%	3%	0%	1%	6%	2%	0%	2%	2%	3%	4%	4%	2%	4%	4%
Inadequate	2%	5%	0%	2%	3%	0%	2%	0%	1%	5%	2%	1%	2%	2%	2%

There were 127 respondents for Judge Hilder.

[illegible]

Judge Kimberly K. Hornak

Judge Kimberly K. Hornak of the Juvenile Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Kimberly K. Hornak was appointed to the Third District Juvenile Court in October 1994 by Gov. Michael O. Leavitt. She received her law degree from Gonzaga University College of Law in 1983. From 1984 to 1985 Judge Hornak was a staff attorney with Utah Legal Services in Ogden. From 1985 to 1986, she was a staff attorney with the Legal Aid Society. Judge Hornak was assistant attorney general from 1986 to 1988 and was Deputy Salt Lake County Attorney from 1988 until her appointment to the bench. She has taught in the Trial Advocacy Program at the University of Utah College of Law and for the paralegal program at Westminster College. She has served on the Court Improvement Committee, the Law Related Education Board, the Standing Committee on Judicial Education, and the Judicial Ethics Advisory Committee. Judge Hornak currently serves on the Board of Juvenile Court Judges.

Judge Hornak's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 93 respondents for Judge Hornak.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	93%	85%	94%	89%	85%	95%	90%	97%	91%	84%	90%	93%	96%	92%	90%

Attorney survey response details:

Excellent	40%	37%	46%	32%	37%	45%	39%	42%	42%	39%	45%	37%	41%	38%	39%
More than Adequate	29%	28%	26%	35%	26%	26%	29%	35%	27%	28%	30%	29%	33%	29%	30%
Adequate	24%	20%	22%	22%	21%	24%	22%	19%	23%	16%	15%	26%	21%	26%	20%
Less than Adequate	3%	9%	5%	9%	11%	3%	5%	2%	9%	12%	7%	3%	1%	4%	5%
Inadequate	4%	6%	1%	2%	4%	2%	5%	1%	0%	4%	3%	4%	3%	4%	5%

Judge Fred D. Howard of the District Court for the Fourth Judicial District, serving Wasatch, Utah, Juab, and Millard Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Howard's compliance with performance standards is as follows:

- Survey of Attorneys
- There were 117 respondents for Judge Howard.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	100%	97%	99%	99%	97%	99%	98%	98%	98%	97%	100%	98%	99%	99%	99%

Excellent	70%	63%	62%	41%	41%	52%	71%	58%	58%	50%	45%	46%	42%	38%	51%
More than Adequate	23%	24%	28%	37%	41%	38%	25%	27%	30%	37%	38%	38%	44%	42%	42%
Adequate	7%	10%	9%	21%	15%	9%	3%	13%	10%	10%	17%	14%	13%	19%	6%
Less than Adequate	0%	3%	1%	1%	3%	0%	1%	1%	1%	3%	0%	1%	0%	0%	1%
Inadequate	0%	0%	0%	0%	0%	1%	1%	1%	1%	0%	0%	1%	1%	1%	0%

There were 15 respondents for Judge Howard.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	88%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	93%	81%	100%
No	13%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	7%	19%	0%

Judge Ernest W. Jones

Judge Ernest W. Jones of the District Court for the Second Judicial District, serving Weber, Davis, and Morgan Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Ernest W. Jones was appointed to the Second District Court in August 2000 by Gov. Michael O. Leavitt. He received his law degree from the University of Utah School of Law in 1974. He was the Clinton City attorney, worked at the Utah Attorney General's Office, the Weber County Attorney's Office and the law firm of Olmstead, Stine and Campbell. Judge Jones was employed with the Salt Lake County District Attorneys Office (1980 – 2000) at the time of his appointment to the bench. Judge Jones received the Most Valuable Prosecutor Award and Salt Lake County Employee of the Year award while employed by the county. Judge Jones is LTC (Ret.) Staff Judge Advocate, U.S. Army Reserves, 87th LSO, Ft. Douglas. Currently he serves on the Supreme Court's Advisory Committee on Criminal Jury Instruction and was a member of the 2003 Judicial Conference Planning Committee. Judge Jones serves as a drug court judge in Weber County.

Judge Jones's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 101 respondents for Judge Jones.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	96%	93%	98%	89%	92%	96%	98%	99%	99%	93%	95%	93%	97%	95%	95%

Attorney survey response details:

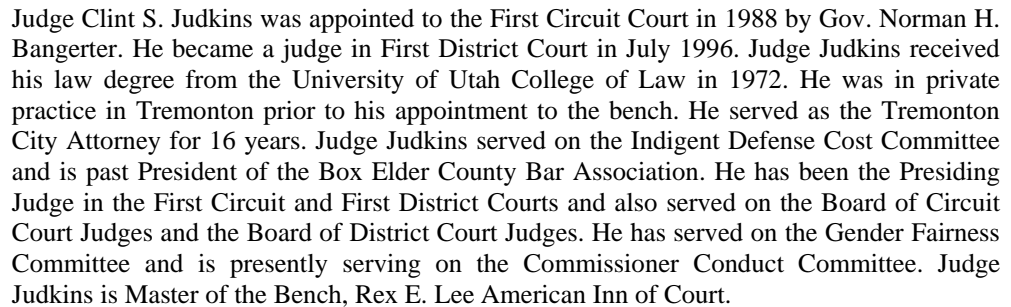
Excellent	44%	40%	44%	25%	20%	30%	49%	47%	41%	37%	36%	34%	35%	27%	27%
More than Adequate	38%	38%	36%	40%	42%	48%	36%	37%	42%	38%	29%	33%	32%	39%	50%
Adequate	14%	15%	18%	24%	29%	19%	13%	16%	16%	18%	29%	25%	30%	29%	19%
Less than Adequate	2%	4%	1%	8%	3%	2%	1%	0%	0%	4%	4%	6%	1%	4%	2%
Inadequate	2%	3%	1%	3%	5%	2%	1%	1%	1%	3%	1%	1%	2%	1%	3%

Survey of Jurors

There were 91 respondents for Judge Jones.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	96%	98%	100%	100%	100%	100%	100%	100%	100%	99%	98%	100%	97%	98%	98%
No	4%	2%	0%	0%	0%	0%	0%	0%	0%	1%	2%	0%	3%	2%	2%

Judge Clint S. Judkins of the District Court for the First Judicial District, serving Box Elder, Cache, and Rich Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

There were 88 respondents for Judge Judkins.

Attorney survey response details:

Survey of Jurors

There were 10 respondents for Judge Judkins.

[illegible]

Judge Claudia Laycock

Judge Claudia Laycock of the District Court for the Fourth Judicial District, serving Wasatch, Utah, Juab, and Millard Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Claudia Laycock was appointed to the Fourth District Court in January 2001. She graduated from Brigham Young University in 1974 in English and then taught language arts and German at Dixon Junior High School in Provo, Utah. She received her law degree from Brigham Young University and was admitted to the Utah State Bar in 1985. She practiced law in Provo from 1985 through 1988 with the firm of Aldrich, Nelson, Weight & Esplin, specializing in criminal defense and family law. She joined the Utah County Attorney's Office in 1988 as a criminal prosecutor, remaining there until her appointment to the bench. From 1988 through 2000 she served on the board of the Women and Children in Crisis Center in Provo. Judge Laycock serves on the Standing Committee on Judicial Branch Education, which oversees the continuing education of all judges and court staff in the State of Utah.

Judge Laycock's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 101 respondents for Judge Laycock.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	96%	91%	99%	87%	88%	93%	91%	99%	98%	86%	89%	95%	90%	94%	89%

Attorney survey response details:

Excellent	47%	37%	39%	39%	33%	39%	44%	43%	38%	37%	36%	32%	34%	32%	40%
More than Adequate	28%	30%	36%	30%	34%	32%	28%	33%	33%	27%	28%	32%	33%	27%	26%
Adequate	22%	24%	24%	18%	20%	23%	19%	24%	27%	22%	24%	32%	23%	35%	24%
Less than Adequate	2%	6%	1%	11%	10%	5%	5%	1%	2%	9%	9%	5%	2%	4%	9%
Inadequate	2%	3%	0%	2%	2%	2%	4%	0%	0%	5%	2%	0%	8%	2%	2%

Survey of Jurors

There were 67 respondents for Judge Laycock.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	94%	99%	100%	100%	96%	100%	100%	100%	100%	99%	97%	100%	100%	100%	100%
No	6%	1%	0%	0%	4%	0%	0%	0%	0%	1%	3%	0%	0%	0%	0%

Judge Bruce C. Lubeck

Judge Bruce C. Lubeck of the District Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Bruce C. Lubeck was appointed to the Third District Court in May 2001 by Gov. Michael O. Leavitt. He received his law degree from the University of Utah College of Law in 1971. At the time of his appointment to the bench, Judge Lubeck was an Assistant U.S. Attorney having served in that capacity since 1981. Prior to that he was in private practice and employed by the Salt Lake Legal Defender Association. He is an adjunct faculty member at Salt Lake Community College and the University of Utah S.J. Quinney College of Law.

Judge Lubeck's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 112 respondents for Judge Lubeck.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	95%	92%	100%	90%	81%	96%	95%	98%	94%	87%	91%	90%	98%	93%	89%

Attorney survey response details:

Excellent	54%	50%	56%	41%	39%	49%	53%	48%	44%	46%	46%	40%	44%	40%	44%
More than Adequate	24%	25%	26%	27%	25%	27%	24%	31%	29%	24%	26%	25%	32%	32%	29%
Adequate	18%	17%	18%	21%	17%	21%	18%	19%	22%	17%	19%	24%	21%	21%	17%
Less than Adequate	1%	4%	0%	5%	11%	2%	1%	1%	3%	7%	6%	4%	2%	6%	7%
Inadequate	4%	4%	0%	5%	8%	2%	4%	1%	3%	6%	3%	6%	0%	1%	4%

Survey of Jurors

There were 110 respondents for Judge Lubeck.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	96%	100%	100%	100%	98%	100%	100%	100%	98%	100%	99%	100%	97%	99%	99%
No	4%	0%	0%	0%	2%	0%	0%	0%	2%	0%	1%	0%	3%	1%	1%

Judge Paul D. Lyman

Judge Paul D. Lyman of the Juvenile Court for the Sixth Judicial District, serving Sanpete, Sevier, Piute, Wayne, Garfield, and Kane Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Paul D. Lyman was appointed to the Sixth District Juvenile Court in July 2000 by Gov. Michael O. Leavitt. He received his law degree from the University of Chicago Law School in 1979. Judge Lyman was in private practice at the time of his appointment to bench. That practice included part-time Deputy Sevier County Attorney, Wayne County Attorney and Salina City Attorney. Prior to that, he served in the United States Air Force from 1980-1985 achieving the rank of Captain. Judge Lyman was elected Mayor of Richfield from 1994 to 1998 and was on the Richfield City Council from 1989 to 1994. He has served as the chair of the Board of Juvenile Court Judges.

Judge Lyman's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 38 respondents for Judge Lyman.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	97%	92%	100%	95%	92%	100%	97%	100%	95%	95%	100%	96%	100%	100%	94%

Attorney survey response details:

Excellent	41%	38%	37%	41%	35%	43%	42%	42%	41%	38%	38%	50%	44%	38%	39%
More than Adequate	35%	41%	51%	41%	30%	38%	34%	53%	32%	41%	43%	23%	42%	35%	45%
Adequate	22%	14%	11%	14%	27%	19%	21%	5%	22%	16%	19%	23%	14%	26%	11%
Less than Adequate	0%	5%	0%	5%	5%	0%	0%	0%	5%	5%	0%	0%	0%	0%	3%
Inadequate	3%	3%	0%	0%	3%	0%	3%	0%	0%	0%	0%	4%	0%	0%	3%

Judge Howard H. Maetani of the District Court for the Fourth Judicial District, serving Wasatch, Utah, Juab, and Millard Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Maetani's compliance with performance standards is as follows:

- ## Survey of Attorneys

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	100%	98%	98%	94%	85%	98%	94%	100%	100%	96%	91%	91%	98%	95%	100%

Excellent	46%	40%	44%	26%	26%	34%	40%	40%	40%	34%	22%	24%	27%	30%	33%
More than Adequate	40%	38%	40%	34%	32%	36%	40%	40%	44%	36%	47%	38%	41%	41%	42%
Adequate	15%	21%	14%	34%	28%	28%	15%	21%	17%	26%	22%	29%	30%	25%	25%
Less than Adequate	0%	2%	2%	6%	15%	2%	4%	0%	0%	4%	9%	9%	2%	5%	0%
Inadequate	0%	0%	0%	0%	0%	0%	2%	0%	0%	0%	0%	0%	0%	0%	0%

[illegible]

Judge Sharon P. McCully

Judge Sharon P. McCully of the Juvenile Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Sharon P. McCully was appointed to the Third District Juvenile Court in July 1983 by Gov. Scott M. Matheson. Judge McCully graduated from the University of Utah College of Law in 1978 and became an Assistant Utah Attorney General. She is currently President of the National Council of Juvenile and Family Court Judges. Judge McCully has served on the Utah Judicial Council and the Board of Juvenile Court Judges. She currently is a member of the Court Improvement Project and the Standing Committee on Court Technology.

Judge McCully's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

The Utah Supreme Court has ordered one public reprimand of Judge McCully since January 1, 1993. The following is a summary of the supporting reasons for the violation of the Code of Judicial Conduct.

An order of public reprimand was issued on July 8, 1997. The Code of Judicial Conduct prohibits a judge, while a proceeding is pending or impending in any court, from making any public comment that might reasonably be expected to affect the outcome of the proceeding or impair its fairness. The Supreme Court found that Judge McCully technically violated the Code of Judicial Conduct when she prepared and allowed a litigant to submit an affidavit containing facts regarding the operation of the juvenile courts and her opinion as to the ultimate issue before the district court in which the affidavit was submitted.

Survey of Attorneys

There were 90 respondents for Judge McCully.

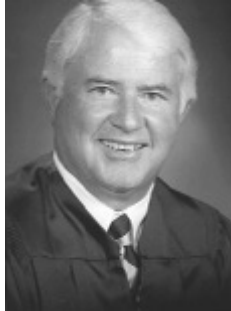
Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	94%	94%	95%	96%	93%	96%	94%	97%	95%	90%	96%	92%	97%	97%	95%

Attorney survey response details:

Excellent	59%	63%	48%	60%	54%	56%	62%	61%	57%	54%	53%	49%	57%	44%	57%
More than Adequate	28%	18%	27%	22%	20%	24%	22%	22%	23%	22%	31%	25%	25%	32%	21%
Adequate	8%	13%	20%	13%	18%	16%	9%	13%	14%	13%	11%	19%	15%	20%	17%
Less than Adequate	0%	0%	4%	0%	4%	2%	3%	0%	3%	7%	1%	2%	1%	1%	2%
Inadequate	6%	6%	1%	4%	3%	2%	3%	3%	2%	3%	3%	6%	2%	2%	3%

Judge K. L. McIff

Judge K. L. McIff of the District Court for the Sixth Judicial District, serving Sanpete, Sevier, Piute, Wayne, Garfield, and Kane Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge K.L. McIff was appointed to the Sixth District Court in November 1994 by Gov. Michael O. Leavitt. He received his law degree from the University of Utah College of Law in 1967 and served a one-year appointment as law clerk to Chief Judge David T. Lewis of the U.S. Tenth Circuit Court of Appeals. From 1968 to 1994, Judge McIff maintained a general civil law practice in Richfield while serving two terms as Sevier County attorney and four terms as Piute County attorney. Judge McIff is a past president of the Southern Utah Bar Association and former examiner for the Utah State Bar. He served as a member and chair of the Board of Trustees of Southern Utah University and as a member of the Utah State Board of Regents. Judge McIff was awarded an honorary doctorate of Humane Letters from Snow College in 1996. He is a past member and chair of the Board of District Court Judges and currently serves as a member of the Utah Judicial Council.

Judge McIff's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 92 respondents for Judge McIff.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	92%	86%	94%	88%	86%	93%	93%	97%	97%	88%	91%	92%	92%	92%	91%

Attorney survey response details:

Excellent	41%	35%	35%	39%	29%	38%	42%	46%	37%	32%	39%	42%	35%	33%	37%
More than Adequate	35%	35%	40%	34%	40%	37%	38%	36%	41%	37%	36%	31%	34%	36%	37%
Adequate	15%	16%	19%	15%	17%	17%	12%	15%	19%	18%	17%	19%	23%	24%	16%
Less than Adequate	4%	9%	3%	8%	9%	5%	4%	1%	2%	9%	6%	7%	5%	4%	5%
Inadequate	4%	5%	3%	4%	5%	2%	3%	2%	1%	4%	3%	1%	3%	4%	4%

Survey of Jurors

There were 51 respondents for Judge McIff.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	92%	100%	100%	100%	98%	100%	100%	100%	98%	100%	100%	100%	100%	100%	100%
No	8%	0%	0%	0%	2%	0%	0%	0%	2%	0%	0%	0%	0%	0%	0%

Judge Frederic M. Oddone

Judge Frederic M. Oddone of the Juvenile Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Frederic (Ric) M. Oddone was appointed to the Third District Juvenile court in August 1994 by Gov. Michael O. Leavitt. He received his law degree from the University of Utah in 1972. From 1972 until his appointment to the bench he was a deputy Salt Lake County Attorney, where he served in the criminal division and in 1986 became Division Chief of the Juvenile & Family Court Division. Judge Oddone has served three terms on the Supreme Court Advisory Committee on the Rules Juvenile Court Procedure. He has been a member of the Salt Lake City Mayor's Gang Task Force on Gang Violence; The Judicial Council's Task Force on Juvenile Court Organization & Jurisdiction, The Salt Lake County Commission On Youth Families in Court Task Force, The Judicial Council Family Court Task Force, and Chaired the Utah State Task Force on Court Security. He represented the Juvenile Court on the State Executive Committee for F.A.C.T. He is a member of the Salt

Lake Criminal Justice Advisory Council. He participates as an instructor on the Judicial Faculty and is a member of the Youth Court Board and of the Judicial Council's Committee on Court Interpreters and is the Chair Person for the Criminal Justice Program Advisory Committee at the Salt Lake Community college. He has served two terms as the Presiding Judge for the Third District Juvenile Court.

Judge Oddone's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 77 respondents for Judge Oddone.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	97%	94%	89%	97%	95%	96%	97%	100%	93%	94%	97%	93%	97%	98%	97%

Attorney survey response details:

Excellent	57%	57%	47%	47%	49%	55%	61%	58%	58%	51%	56%	50%	54%	48%	53%
More than Adequate	22%	21%	27%	38%	26%	26%	25%	27%	19%	29%	22%	20%	26%	32%	30%
Adequate	18%	17%	16%	12%	20%	16%	12%	14%	16%	16%	19%	23%	16%	17%	14%
Less than Adequate	3%	3%	7%	0%	1%	4%	3%	0%	4%	3%	0%	2%	0%	1%	0%
Inadequate	0%	3%	4%	3%	4%	0%	0%	0%	3%	3%	3%	5%	3%	1%	3%

Judge A. Lynn Payne, Jr.

Judge A. Lynn Payne, Jr. of the District Court for the Eighth Judicial District, serving Daggett, Duchesne, and Uintah Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge A. Lynn Payne was appointed to the Eighth Circuit Court in 1987 by Gov. Norman H. Bangerter. He became a District Court Judge in January, 1992. Judge Payne received his law degree from the University of Utah College of Law in 1975, was a Salt Lake City Prosecutor from 1975 to 1978 and a Salt Lake County Prosecutor from 1978 to 1981. He was in private practice in Vernal from 1982 until his appointment to the bench. He is the past chair of the Justice Court Standards Committee and past chair of the Board of District Court Judges. In 1990 the Utah State Bar named Judge Payne Circuit Court Judge of the Year. The Justice Court Judges awarded Judge Payne an Amicus Curiae Award in 1992. Judge Payne is currently serving as a member of the Board of District Court Judges and the Grand Jury Panel for the State of Utah.

Judge Payne's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 76 respondents for Judge Payne.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	96%	94%	98%	95%	88%	95%	99%	99%	96%	89%	95%	95%	96%	95%	95%

Attorney survey response details:

Excellent	46%	34%	41%	35%	33%	40%	51%	47%	40%	45%	36%	33%	37%	33%	47%
More than Adequate	33%	39%	42%	41%	38%	37%	31%	41%	41%	28%	31%	39%	41%	43%	30%
Adequate	17%	21%	14%	19%	17%	18%	17%	10%	15%	17%	27%	23%	17%	17%	17%
Less than Adequate	4%	5%	1%	5%	12%	5%	1%	1%	4%	11%	4%	3%	3%	4%	5%
Inadequate	0%	1%	1%	0%	0%	0%	0%	0%	0%	0%	1%	2%	1%	1%	0%

Survey of Jurors

There were 94 respondents for Judge Payne.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	95%	100%	100%	99%	100%	100%	100%	100%	99%	100%	100%	100%	100%	99%	100%
No	5%	0%	0%	1%	0%	0%	0%	0%	1%	0%	0%	0%	0%	1%	0%

Judge Sandra N. Peuler of the District Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Peuler's compliance with performance standards is as follows:

- ## Survey of Attorneys

There were 120 respondents for Judge Peuler.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	98%	95%	99%	92%	89%	96%	98%	99%	97%	93%	94%	91%	95%	96%	94%

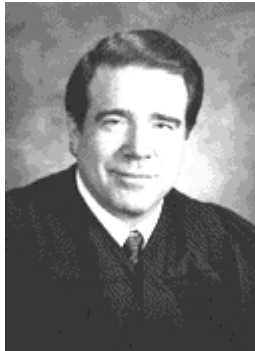
Excellent	65%	63%	63%	55%	51%	58%	66%	65%	63%	61%	56%	52%	49%	48%	57%
More than Adequate	25%	28%	30%	31%	30%	27%	25%	24%	24%	21%	24%	30%	28%	32%	28%
Adequate	8%	6%	6%	7%	7%	12%	8%	11%	11%	11%	13%	9%	18%	16%	10%
Less than Adequate	2%	3%	0%	7%	8%	3%	0%	0%	1%	4%	3%	3%	3%	2%	4%
Inadequate	0%	2%	1%	1%	3%	1%	2%	1%	2%	3%	3%	6%	2%	2%	2%

There were 41 respondents for Judge Peuler.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	97%	100%	100%
No	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	3%	0%	0%

Judge Sterling B. Sainsbury

Judge Sterling B. Sainsbury of the Juvenile Court for the Fourth Judicial District, serving Wasatch, Utah, Juab, and Millard Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Sterling B. Sainsbury was appointed to the Fourth District Juvenile Court in August 1994 by Gov. Michael O. Leavitt. Judge Sainsbury also sat on the Eighth District Juvenile Court bench until 1996, serving Daggett, Duchesne and Uintah Counties. He received his law degree from the J. Reuben Clark College of Law at Brigham Young University in 1981. From 1981 to 1983 he was in private practice. From 1981 until his appointment to the bench he was a Deputy Utah County Attorney. From 1987 to 1992 Judge Sainsbury was a guest instructor at Brigham Young University in the Department of Social Work. He is a past member of the Utah State Supreme Court's Advisory Committee on Rules of Juvenile Court Procedure, Utah State Sentencing Commission, Utah County Gang Task Force, and is currently serving on the Board of Juvenile Court Judges.

Judge Sainsbury's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 39 respondents for Judge Sainsbury.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	97%	97%	97%	97%	92%	97%	100%	97%	97%	92%	100%	100%	100%	97%	100%

Attorney survey response details:

Excellent	51%	46%	34%	33%	41%	46%	49%	59%	56%	56%	46%	37%	51%	54%	51%
More than Adequate	36%	31%	37%	38%	26%	31%	33%	28%	26%	23%	36%	44%	30%	30%	33%
Adequate	10%	21%	26%	26%	26%	21%	18%	10%	15%	13%	18%	19%	19%	14%	15%
Less than Adequate	3%	0%	0%	3%	8%	0%	0%	3%	0%	8%	0%	0%	0%	0%	0%
Inadequate	0%	3%	3%	0%	0%	3%	0%	0%	3%	0%	0%	0%	0%	3%	0%

Judge Randall N. Skanchy

Judge Randall N. Skanchy of the District Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Randall N. Skanchy was appointed to the Third District Court in January 2001 by Gov. Michael O. Leavitt. He received his law degree from Brigham Young University in 1980. At the time of his appointment to the bench, Judge Skanchy was with the law firm of Jones, Waldo, Holbrook & McDonough. He has 21 years of trial experience as counsel in civil and environmental matters in state and federal courts. Prior to his appointment to the bench, Judge Skanchy served as an arbitrator for the National Association of Securities Dealers and handled environmental state and federal superfund matters throughout the western United States. He served as chair of the Utah Food Bank from 1996 to 1999 and as a member of the Community Services Council from 1996 to 2000. Judge Skanchy is a member of the Utah Judicial Council's Ethics Advisory Committee and the Executive Committee of the Utah State Bar Litigation Committee.

Judge Skanchy's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the juror survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 116 respondents for Judge Skanchy.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	93%	90%	97%	95%	93%	98%	88%	99%	93%	88%	94%	91%	97%	96%	93%

Attorney survey response details:

Excellent	40%	36%	41%	27%	28%	29%	41%	32%	34%	29%	28%	37%	33%	26%	30%
More than Adequate	32%	33%	35%	34%	36%	45%	37%	47%	39%	39%	38%	33%	40%	44%	45%
Adequate	21%	22%	21%	34%	30%	24%	10%	20%	21%	20%	29%	20%	24%	27%	18%
Less than Adequate	5%	7%	2%	4%	4%	2%	9%	1%	4%	9%	6%	9%	2%	3%	4%
Inadequate	2%	3%	1%	1%	3%	0%	3%	0%	3%	3%	0%	0%	1%	1%	3%

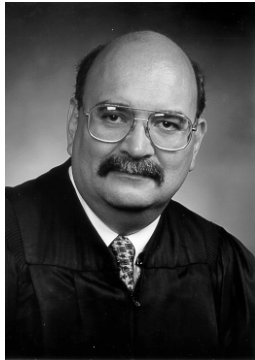
Survey of Jurors

There were 175 respondents for Judge Skanchy.

Question:	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Yes	95%	100%	100%	100%	99%	100%	100%	100%	99%	99%	99%	100%	100%	99%	99%
No	5%	0%	0%	0%	1%	0%	0%	0%	1%	1%	1%	0%	0%	1%	1%

Judge William A. Thorne, Jr.

Judge William A. Thorne, Jr. of the Court of Appeals for the State of Utah, serving All Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge William A. Thorne, Jr., was appointed to the Utah Court of Appeals in May 2000 by Governor Michael O. Leavitt. He was a judge in the Third Circuit Court for eight years, having been appointed by Governor Norman Bangerter in 1986, and served in the Third District Court for six years, having been appointed by Governor Leavitt in 1994. Judge Thorne received his B.A. from the University of Santa Clara in 1974 and his J.D. from Stanford Law School in 1977. Judge Thorne has served as a tribal court judge in Utah, Idaho, Montana, New Mexico, Colorado, Arizona, Wisconsin, South Dakota, Nebraska and Michigan. He is currently President of the National Indian Justice Center [a non-profit that trains tribal court personnel around the country], a member of the Board of Directors for National CASA [Court Appointed Special Advocates, a non-profit group that provides volunteer representation for abused and neglected children in court], a member of the Board of Directors for the Evan B. Donaldson Adoption Institute [a nonprofit seeking to improve the level of research and practice related to adoptions] and a

member of the ABA Steering Committee on the Unmet Legal Needs of Children. He is a former member of the Utah Judicial Council, the Board of Circuit Court Judges, and the Board of Directors for the National Indian Court Judge's Association. He is also a former chair of the Utah Juvenile Justice Task Force of the Commission on Criminal and Juvenile Justice, former vice-chair of the Utah Board of Youth Corrections, former co-chair of the Judicial Council's Committee on Improving Jury Service, former chair of the Judicial Council's Bail Bonding Committee, former member of the Court Technology Committee, former member of the Salt Lake County Domestic Violence Advisory Committee and a former member of the steering committee for the Judicial Council's Task Force on Racial and Ethnic Fairness.

Judge Thorne's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 50 respondents for Judge Thorne.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	94%	90%	100%	96%	84%	89%	84%	76%	88%	88%	96%	98%	86%	82%	90%

Attorney survey response details:

Excellent	54%	54%	63%	36%	30%	38%	30%	27%	42%	39%	51%	38%	26%	28%	28%
More than Adequate	26%	27%	26%	28%	28%	24%	32%	31%	34%	33%	24%	36%	35%	33%	40%
Adequate	14%	8%	11%	32%	26%	27%	22%	18%	12%	16%	22%	23%	26%	22%	22%
Less than Adequate	4%	6%	0%	4%	12%	9%	14%	22%	10%	8%	2%	2%	7%	11%	8%
Inadequate	2%	4%	0%	0%	4%	2%	2%	2%	2%	4%	2%	0%	7%	7%	2%

Justice Michael J. Wilkins

Justice Michael J. Wilkins of the Supreme Court for the State of Utah, serving All Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Associate Chief Justice Michael J. Wilkins was appointed to the Utah Supreme Court in January 2000. He was previously appointed to the Utah Court of Appeals in August 1994 and served there until his appointment to the Supreme Court. He is Associate Chief Justice of the Supreme Court and a past presiding judge of the Court of Appeals. Justice Wilkins received his law degree from the University Of Utah College Of Law in 1977 and an advanced law degree (LL.M.) in 2001 from the University of Virginia Law School. From 1977 to 1994, he was engaged in private law practice in Salt Lake City. Justice Wilkins has been a member of the Judicial Council and has served as chair of the Judicial Council's Policy and Planning Committee, Legislative Liaison Committee, and Standing Committee on Technology. He currently chairs the Supreme Court's Committee on Professionalism, and teaches as an adjunct professor at BYU's J. Reuben Clark Law School.

Justice Wilkins's compliance with performance standards is as follows:

- ◇ A favorable rating by at least 70% of the respondents on at least 75% of the attorney survey questions. See specific results below.
- ◇ Had fewer than the maximum allowable cases held under advisement.
- ◇ At least 30 hours of continuing judicial education annually.
- ◇ Mentally and physically fit for office.
- ◇ In substantial compliance with the Code of Judicial Conduct.

Survey of Attorneys

There were 37 respondents for Justice Wilkins.

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	91%	91%	92%	94%	87%	94%	87%	84%	97%	92%	95%	94%	86%	80%	90%

Attorney survey response details:

Excellent	33%	29%	48%	31%	27%	34%	32%	16%	39%	36%	38%	30%	26%	23%	24%
More than Adequate	36%	38%	20%	31%	32%	31%	24%	35%	28%	22%	27%	24%	31%	26%	30%
Adequate	21%	24%	24%	33%	27%	28%	30%	32%	31%	33%	30%	39%	29%	31%	35%
Less than Adequate	6%	6%	4%	3%	8%	3%	8%	8%	3%	8%	5%	3%	11%	14%	5%
Inadequate	3%	3%	4%	3%	5%	3%	5%	8%	0%	0%	0%	3%	3%	6%	5%

Judge Robert S. Yeates of the Juvenile Court for the Third Judicial District, serving Salt Lake, Summit, and Tooele Counties, has been certified by the Utah Judicial Council for retention in the 2004 General Election.



Judge Yeates's compliance with performance standards is as follows:

- ## Survey of Attorneys

Question	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total Favorable	100%	99%	98%	98%	95%	100%	100%	96%	100%	95%	100%	100%	97%	99%	99%

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